

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)  
RPS820030112US1

In re Application of: Simon Chu et al.

Application No.: 10/674,841

Filed: 09/30/2003

For: LOCATION SENSITIVE SOFTWARE DOWNLOAD

The owner\*, INTERNATIONAL BUSINESS MACHINES CORP., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/675,614, filed on 09/30/2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 35,768

/Joseph W. King/  
Signature

June 12, 2008  
Date

Joseph W. King  
Typed or printed name

512-343-6116  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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